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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 MARIA G. DAVILA-HURTADO,
10 Plaintiff,
11 v.
12 JO ANNE B. BARNHART,
13 Commissioner of Social Security,
14 Defendant.

3:06-CV-403-BES-RAM

ORDER

15 Before the Court is the Report and Recommendation of the United States Magistrate
16 Judge (#18) ("Recommendation") entered on September 26, 2007, in which the Magistrate
17 Judge recommends that this Court enter an order granting Plaintiff's Motion for Remand of the
18 Commissioner's Decision (#15) and denying Defendant's Cross-Motion to Affirm (#16) and that
19 the decision of the Administrative Law Judge ("ALJ") be reversed and remanded for further
20 proceedings consistent with the terms of the Recommendation. No objections have been filed.

21 The Court has conducted a *de novo* review of the record in this case, considering fully
22 all relevant matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.
23 After a review and determination in accordance with the requirements of 28 U.S.C. § 636 and
24 applicable case law, and good cause appearing,

25 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and
26 Recommendation (#18) entered on September 26, 2007, is adopted and accepted without

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1 modification. Thus, in accordance with the Report and Recommendation, Plaintiff's Motion
2 for Remand of the Commissioner's Decision (#15) is GRANTED.

3 IT IS FURTHER ORDERED that Defendant's Cross-Motion to Affirm (#16) is DENIED,
4 and the decision of the ALJ be REVERSED and REMANDED for further proceedings
5 consistent with the terms of the Recommendation. The Clerk shall enter judgment
6 accordingly.

7 IT IS SO ORDERED.

8 DATED: This 10TH day of October, 2007.

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12 UNITED STATES DISTRICT JUDGE
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